

01-16-01

PTO/SB/05 (08-00)

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. BU 111

First Inventor Edith Mathiowitz

Title MICRONIZED FREEZE-DRIED PARTICLES

Express Mail Label No. EL571228948US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 75]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 7 ]
5. Oath or Declaration [ Total Pages 3 ]
  - a.  Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 17 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Other: .....

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No.: /

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**
 Customer Number or Bar Code Label   or  Correspondence address below

Name	Patrea L. Pabst Arnall Golden & Gregory, LLP			
Address	2800 One Atlantic Center			
	1201 West Peachtree Street			
City	Atlanta	State	GA	Zip Code
Country	United States	Telephone	(404) 873-8794	Fax (404)873-8795

Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284
Signature			Date January 12, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$472.00)

## Complete if Known

Application Number	
Filing Date	January 12, 2001
First Named Inventor	Edith Mathiowitz
Examiner Name	
Group Art Unit	
Attorney Docket No.	BU 111

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	01-2507
Deposit Account Name	Arnall Golden & Gregory, LLC

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355 Utility filing fee	355.00
106	320	206	160 Design filing fee	
107	490	207	245 Plant filing fee	
108	710	208	355 Reissue filing fee	
114	150	214	75 Provisional filing fee	

SUBTOTAL (1) (\$ 355.00)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
33	-20	= 13 x 9.00	= 117.00
Independent Claims	3	-3	= 0 x 0 = 0
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103	18	203	9 Claims in excess of 20
102	80	202	40 Independent claims in excess of 3
104	270	204	135 Multiple dependent claim, if not paid
109	80	209	40 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 117.00)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 Surcharge - late filing fee or oath	65
127	50	227 Surcharge - late provisional filing fee or cover sheet	25
139	130	139 Non-English specification	130
147	2,520	147 For filing a request for ex parte reexamination	2,520
112	920*	112 Requesting publication of SIR prior to Examiner action	920*
113	1,840*	113 Requesting publication of SIR after Examiner action	1,840*
115	110	215 Extension for reply within first month	55
116	390	216 Extension for reply within second month	195
117	890	217 Extension for reply within third month	445
118	1,390	218 Extension for reply within fourth month	695
128	1,890	228 Extension for reply within fifth month	945
119	310	219 Notice of Appeal	155
120	310	220 Filing a brief in support of an appeal	155
121	270	221 Request for oral hearing	135
138	1,510	138 Petition to institute a public use proceeding	1,510
140	110	240 Petition to revive - unavoidable	55
141	1,240	241 Petition to revive - unintentional	620
142	1,240	242 Utility issue fee (or reissue)	620
143	440	243 Design issue fee	220
144	600	244 Plant issue fee	300
122	130	122 Petitions to the Commissioner	130
123	50	123 Petitions related to provisional applications	50
126	240	126 Submission of Information Disclosure Stmt	240
581	40	581 Recording each patent assignment per property (times number of properties)	40
146	710	246 Filing a submission after final rejection (37 CFR § 1.129(a))	355
149	710	249 For each additional invention to be examined (37 CFR § 1.129(b))	355
179	710	279 Request for Continued Examination (RCE)	355
169	900	169 Request for expedited examination of a design application	900

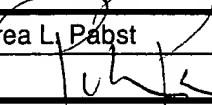
Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Patrese L. Pabst	Registration No. (Attorney/Agent)	31,284	Telephone	404-873-8794
Signature				Date	January 12, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Edith Mathiowitz, Yong S. Jong and Jules Jacob

Serial No.: Express Mail Label No.: EL 571 228 948 US

Filed: January 12, 2001 Date of Deposit January 12, 2001

For: MICRONIZED FREEZE-DRIED PARTICLES

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**EXPRESS MAIL TRANSMITTAL LETTER  
FOR PATENT APPLICATION AND CERTIFICATE OF MAILING**

Sir:

Pursuant to 35 U.S.C. § 21(a) as amended by Public Law 97-247 and 37 C.F.R. § 1.10, Edith Mathiowitz, Yong S. Jong and Jules Jacob enclose for filing the attached patent application entitled "MICRONIZED FREEZE-DRIED PARTICLES", which claims priority to U.S.S.N. 60/176,193 filed January 14, 2000. The application includes 1 page of Abstract, 70 pages of specification, 4 pages of claims, 7 sheets of informal drawings, and an unexecuted Declaration. An executed Declaration and Assignments to Brown University and Spherics will be submitted shortly. A check in the amount of \$472.00 to cover the filing fee is enclosed.

This application is entitled to small entity status under 37 C.F.R. § 1.27.

This application is being filed on January 12, 2001 by mailing the application to the Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express

"MICRONIZED FREEZE-DRIED PARTICLES"  
Filed January 12, 2001  
Express Mail Transmittal Letter for  
Patent Application and Certificate of Mailing  
Express Mail Label No. EL 571 228 948 US

Mail label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Order Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate of this letter.

All correspondence concerning this application should be mailed to:

Patrete L. Pabst, Esq.  
ARNALL GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3450

Respectfully submitted,



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Patrete L. Pabst  
Reg. No. 31,284

Date: January 12, 2001

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"MICRONIZED FREEZE-DRIED PARTICLES"  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this Express Mail Transmittal Letter for Patent Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, January 12, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, mailing label number EL 571 228 948 US, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: January 12, 2001

  
Jean Hicks  
Jean Hicks